

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

EDILBERTO GUEMBES HERNANDEZ,

Defendant.

8:07CR371

ORDER

This matter is before the court on the defendant's unopposed motion for extension of time [24]. For good cause shown, the court finds that the requested extension should be granted.

IT IS ORDERED that the motion [24] is granted, as follows:

1. The defendant's trial setting will be determined on or after March 31, 2008.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **March 10, 2008 and March 31, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED March 10, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge